

IMPLEMENTATION TEAM MEETING NOTES

March 24, 1997, 9:00 a.m.-4 p.m.
NATIONAL MARINE FISHERIES SERVICE OFFICES
PORTLAND, OREGON

I. Greeting and Introductions.

The March 24 meeting of the Implementation Team, held at the National Marine Fisheries Service's offices in Portland, Oregon, was chaired by Brian Brown of NMFS. The agenda for the March 24 meeting and a list of attendees are attached as Enclosures A and B. The following is a distillation (not a verbatim transcript) of items discussed at the meeting, together with actions taken on those items. Please note that some enclosures referenced in the body of the text may be too lengthy to attach; all enclosures referenced are available upon request from Kathy Mott at 503/230-5420 or via email at Kathy.Mott@noaa.gov.

One matter of protocol, said Ed Bowles of Idaho -- the Idaho transport proposal has not yet been formally elevated as an issue for IT decision. At this point, I would like the group to look at the proposal on its merits; if consensus can't be reached, it will be elevated. I would rather that the discussion of the Idaho transportation proposal was not characterized as a briefing on an issue for elevation, Bowles said. We're assuming that the transport System Operational Request is going through the dispute resolution process, and that this is the next phase in that process -- we're expectant and hopeful for resolution.

At Bowles' request, Technical Management Team chairwoman Cindy Henriksen explained the current status of the Idaho transportation SOR within the TMT forum. As Ed explained, it was not formally elevated to the IT, she said -- the TMT felt that it had not been given adequate time to evaluate the request, because the SOR was not distributed prior to the meeting. We briefly discussed the proposal, eventually concluding that it is probably more of a policy issue than a technical issue.

II. Review and Discussion of Briefing/Issue Papers Being Developed for April 4 Executive Committee Meeting.

Brown distributed Enclosures C (the draft agenda for the April 4 Executive Committee meeting) and D (a memorandum from Brown to the Implementation Team, dated March 17, covering the status of Water Management Plan issues discussed at IT). What I would like to do to finalize this document is to make it a memo from the IT to the EC, stating the status of each of the various issues involved in completing the Water Management Plan, Brown said.

Brown announced that, due to scheduling conflicts, the IT/Attorneys' Group Alternative Dispute

Resolution meeting originally set for April 3 has been postponed. He suggested that the full IT schedule a meeting for that date, to provide an opportunity for further discussion of items to be presented at the EC meeting on March 4.

My understanding was that the ADR meeting would have a pivotal role in the dispute resolution role for the interim TMT guidelines, said Bowles. What's Plan B? I know that Suzanne Orenstein is trying to schedule another IT/ADR meeting, but that's unlikely to occur before April 4, Brown replied. The IT/ADR group will still consider the guidelines; however, I don't think that will happen before the interim guidelines are presented to the Executive Committee. I hope to spend a good portion of today's meeting on an initial discussion of the draft TMT guidelines; subsequent to that discussion, our intent is to produce a Federal draft, comparable to the one Donna Darm produced for the Regional Forum procedures, Brown said.

I understand that some parties in the region do not feel that the IT is the best forum for reviewing Regional Forum procedures, Brown continued. I don't know whether those same participants feel the same is true for the TMT guidelines. It would be amenable to NMFS to use the IT as a forum to complete the interim TMT guidelines, but it's really up to the other IT participants. I would, however, observe that it would be preferable to reach agreement on the interim guidelines by April 4, Brown said. After some minutes of further discussion, no consensus emerged on this issue; it was agreed to resume the discussion of the interim TMT guidelines later in the meeting.

The IT agreed to go through Brown's March 17 memo (Enclosure D) item by item (see Enclosure D for more detailed framing of each issue).

ISSUE 1: TMT Guidelines.

It was agreed that this issue would be discussed in more detail later in today's meeting; the IT will resume its discussion of the TMT Guidelines at its April 3 meeting, and make a judgement at that point whether subsequent discussion in the IT/ADR forum will be necessary.

ISSUE 2: Emergency Procedures.

a. Power Emergency Procedures. What are the prospects of developing a fully integrated draft of the power system emergency procedures by April 3? asked Ron Boyce of ODFW. I believe Phil Thor has developed a new draft of this document, incorporating comments received to date; this new draft is available on the TMT's Internet homepage, said Robyn MacKay of BPA. As you'll recall, at the last IT meeting, we were directed to separate the power system emergency procedures from the fish and wildlife emergency procedures; what Phil brought to the last TMT meeting was the power system emergency procedures, said Henriksen.

At the last TMT meeting, I initially chewed Phil out for not fully integrating the comments from FPAC, said Boyce. However, I now think he did a fairly good job, although there are still some fairly substantive issues that need to be resolved -- planned vs. unplanned risk, for example, as well as how to get operations in place in kind to mitigate for emergency situations..

After some minutes of further discussion, Brown asked that any IT participants who wish to comment on the most recent draft of the power system emergency procedures provide their remarks to Thor or Boyce by Monday, March 31 -- that will give them time to incorporate those comments prior to the April 3 IT meeting. Brown further asked that Thor and Boyce be prepared

to present either a consolidated draft of the power system emergency procedures, or a comprehensive list of issues in need of resolution, at the April 3 IT meeting.

In response to another question, it was agreed that the mitigation section of the emergency procedures needs to be addressed separately. Brown distributed a draft of the mitigation section which he had developed; this draft is reproduced below:

Offsetting Adverse Effects of Emergency and Response Actions:

In the event that emergency conditions, or the immediate response to an emergency situation, results in an operation that causes adverse effects to fish and wildlife, the TMT will assess the magnitude of the adverse effect and provide information on measures available to offset it. The Members of the Regional Forum agree to cooperate in the development of this information for consideration through the TMT process.

If the operation that was affected is a requirement of a biological opinion, then the appropriate agency (NMFS or USFWS) will use the information on the magnitude of the adverse effect to determine whether the modified operation is consistent with the relevant biological opinion(s). If the modified operation differs significantly from the conditions in the opinion(s) then, in the absence of appropriate remedial action, NMFS or USFWS may require re-initiation of consultation, and offsetting measures may be needed to conclude that the action satisfies ESA requirements.

If the operation that was affected is determined by NMFS or USFWS to be consistent with relevant biological opinions, offsetting measures may still be recommended. An agency deciding not to provide mitigation, or mitigation different from that recommended through the TMT process, will provide a written explanation for the record stating the decision and the basis for the decision.

Nothing in this section prevents a sovereign from independently pursuing mitigation under applicable federal, state or tribal law.

The group spent some minutes discussing Brown's draft of the mitigation section, with the primary focal point of the discussion the phrase "adverse effects." I would like more clarification about the exact meaning of the "adverse effects" concept, said Tim Hall of Montana; also, we're a little concerned about the third paragraph, and the concept that even operations that are consistent with the Biological Opinion may require mitigation.

Brown explained that, in drafting this section, he had attempted to differentiate between the needs of listed and unlisted species. If it's a listed species, then the determination needs to be made whether it's within the Bi-Op or outside the Bi-Op, he said. If, absent some offsetting measure, it could be construed to be outside the Biological Opinion, then the appropriate course would likely be to re-open consultation. Even if it is within the Biological Opinion, that doesn't mean that an adverse affect has not occurred, either to listed species, but below a threshold that would cause you to flip over into a jeopardy opinion, or to an unlisted species, Brown said. I didn't draft these in a way that would prevent anyone from recommending that mitigation; all I've tried to do is to make it clear that it is discretionary on the part of the operating agencies.

Again, I would like to see some sideboards on the term "adverse effects," and in particular, on

the criteria that will be used to determine that an adverse effect has taken place, said Hall. I'm especially concerned about the potential for Montana reservoirs being called upon unexpectedly to provide mitigation water for something that happened downstream; I would be even more distressed if Montana reservoirs were asked to provide mitigation water for an event that fell within the scope of Biological Opinion operations, he said.

I think what Tim is getting at is the idea that we need to have an idea of what we're mitigating for, said Alan Ruger of BPA -- in the context of last summer's emergency situation, not just a replacement of spill, but what was the loss, and what are the benefits of the contemplated action? The concept of assessing the magnitude of the adverse affect implies that there will be an attempt to quantify what the affects were on the fish, and what action would be appropriate to compensate for that loss.

All it says here is that the members of the fora agree to cooperate in the development of that information for the TMT process, said Brown. I have deliberately left the language broad enough to cover a range of emergencies, keeping it as simple and flexible as possible. I don't have a problem with the phrase "magnitude of the adverse affects," said Ruger -- if you try to be more specific, we'll wind up with a 40-page document.

At the suggestion of Boyce, the following was added as the second sentence in paragraph 1 of the mitigation section:

"Alternative operations to provide in-kind, in-place mitigation in a timely manner shall be the first priority."

After some minutes of discussion, it was also agreed to delete the word "significantly" from the second sentence of paragraph 2. It was further agreed to substitute the phrase "any party" for the word "sovereigns" in the final paragraph of this section.

At Brown's request, Hall agreed to draft a sentence or two defining "adverse effects" for discussion at the April 3 IT meeting.

b. Fish Emergency Procedures. It was agreed that the Fish Passage Advisory Committee will discuss this document at its March 25 meeting; FPAC will make further recommendations to the IT on an as-needed basis.

ISSUE 3: Power Peaking.

BPA's Robyn MacKay distributed Enclosure F, a document titled "Columbia River Power Shaping -- Expected 1997 Operation and Power Benefit." She described the economic and technical underpinnings of power shaping (see Enclosure F for details), explaining that power shaping allows BPA to move water and energy from low-value periods to high-value periods. The bottom line, said MacKay: during the spring period of high runoff years like 1996 and 1997, total river flow is not impacted by power peaking, because high flows preempt system operational flexibility -- the total river flow is well above systemwide turbine capacity, and Nature is in control.

Once flows drop below about 300 Kcfs in the Columbia and 120 Kcfs in the Snake, we regain our ability to shape flows, MacKay said. In 1997, BPA does not expect that to happen much

before the end of July. Given the 1% peak efficiency requirement throughout the system and the requirement that we operate the Snake River projects within one foot of MOP, our ability to shape flows for power is considerably less now than it was in years past, she said. However, once flows drop below turbine capacity, we do try to shape flows into heavy load hours.

As the handout shows, said MacKay, most of the daily shaping we are able to do takes place on the Snake River. As you can see, if flows were 55 Kcfs at Lower Granite, during heavy-load hours, flows might be increased to 60 Kcfs; during light-load hours, they might fall as low as 45 Kcfs. At Ice Harbor, the swing can range from 72 Kcfs to 20 Kcfs in a 24-hour period, although the swing was never quite that severe in 1996 -- a range of 70 Kcfs and 25 Kcfs was the largest we saw at Ice Harbor during any 24-hour period in 1996.

In terms of economic benefit, said MacKay, having the ability to shape the one foot of operating range at the Snake projects for power peaking is worth about \$40,000 per day to Bonneville.

The IT spent a few minutes discussing MacKay's information; ultimately, Brown and MacKay agreed to collaborate to produce a document quantifying how much the region's salmon recovery costs will increase if BPA is not allowed to do power peaking.

It sounds as though power peaking is a moot issue during the spring migration period, said Brown -- it could be as late as August before power peaking is physically possible.

There was a second piece to the power peaking question, he continued. At the last IT meeting, we discussed the possibility of asking the Independent Scientific Advisory Board to look at the biological effects of power peaking. CRITFC also proposed the notion of a maximum 10% variation in flow level within a 24-hour period; at the last meeting, CRITFC agreed to provide their suggestion about how to proceed with this aspect of the power peaking question, said Brown.

I checked back with our technical folks, and they wanted to have a chance to look at BPA's numbers before they develop their response, said Rob Lothrop. I don't have a specific response on power peaking today, however. Since this really won't be an issue until mid- to late summer, we'll look at BPA's numbers and put together a more specific proposal for the May IT meeting, he said.

One caution, said MacKay -- if CRITFC is thinking about making a specific power peaking proposal for this summer, you need to be aware that BPA is making sales for the summer period right now. Costs will rise substantially if, as a result of CRITFC's power peaking proposal, BPA is forced to purchase power to support those sales. Lothrop agreed to develop the CRITFC proposal, or alternatives for analysis, as soon as possible, in conjunction with any other interested parties. It was agreed that this biologically-based proposal or alternatives will provide the basis for the power peaking questions the ISAB will be asked by IT. Lothrop also said CRITFC will correspond directly with BPA, to see if a mutually-satisfactory solution to the power peaking question can be worked out.

The final part of the power peaking assignment was our request that TMT review 1995 and 1996 data to see if there were any instances in which the 80% weekday/weekend rule was violated, said Brown. Our review of the data showed that we met the 80% weekend standard every week in 1995; there was one week in May where weekend flows fell to 79.8% of the previous five

days' average flow, Henriksen replied. At Brown's request, Henriksen agreed to provide the spreadsheets on which this analysis was based in written form to the TMT membership.

ISSUE 4: TMT Guidelines.

Brown distributed the most recent draft of this document (Enclosure G). This document has changed substantially from the first draft of the guidelines, distributed last fall, said Brown. NMFS made an attempt to rewrite this earlier draft to ensure that the TMT guidelines are consistent with the guidelines for the regional forum; the current draft of the TMT guidelines reflects those changes. Brown suggested that the IT spend a few minutes going through this document and providing comments at today's meeting. The following draft of the guidelines reflects all changes agreed to at the March 24 meeting (all changes are enclosed in asterisks * *):

INTERIM GUIDELINES FOR TECHNICAL MANAGEMENT TEAM

March 20, 1997

I. Introduction

The National Marine Fisheries Service's (NMFS) Biological Opinion on the "Reinitiation of Consultation on 1994-1998 Operation of the Federal Columbia River Power System (FCRPS) and Juvenile Transportation Program in 1995 and Future Years" calls for the establishment of a Technical Management Team (TMT) to advise the operating agencies on dam and reservoir operations, thus optimizing passage conditions for juvenile and adult anadromous salmonids. These guidelines are adopted in accordance with that Opinion.

The TMT is one of several technical teams within the Regional Implementation Forum established by the NMFS, the U.S. Fish and Wildlife Service (USFWS), the U.S. Army Corps of Engineers (COE), the Bureau of Reclamation (BOR) and the Bonneville Power Administration (BPA). The Regional Forum provides for regional discussion and decision on the operation and configuration of the FCRPS. Its goal is to develop consensus among the various members on these decisions. The TMT's mission is specifically to ensure *broad* technical participation *and use of the best available technical information* to encourage consensus in decisions on operating the FCRPS. When consensus is not achieved, the TMT ensures that the bases for participants recommendations and Federal decisions are fully explained. In such situations, questions can be elevated to the Implementation Team (IT) for resolution.

The TMT operates under the Interim Procedures adopted for the Regional Forum (see 1/15/97 version. The following, more specific guidelines supplement the Forum's procedures *for 1997 only; longer-term TMT guidelines are under development.*

II. Scope

The focus of the TMT is on implementing the NMFS Biological Opinion on operation of the FCRPS while considering the provisions of (and effects on) the Northwest Power Planning Council's (NPPC) Fish and Wildlife Program, the USFWS biological opinion*s* on Kootenai River white sturgeon *and Snake River snails [Note: BOR objected to the inclusion of the Snake River Snail Biological Opinion in this paragraph]*, state and tribal plans and programs, and other relevant operational requirements. Specifically, the TMT should explore operational scenarios under the NMFS opinion that would serve to protect other fish and wildlife in the Columbia River Basin*, and promote coordination and consistency with these other objectives to the extent possible.*

III. Membership

See Forum Rules and Procedures.

The members and alternates of the TMT are listed in Attachment 1. Initial confirmation of membership, designation of representatives, and any changes in representation should be provided in writing to *John Palensky of NMFS.*

IV. Roles and Responsibilities

The TMT is responsible for discussion and decision on hydro system and project operations to implement * * the FCRPS Biological Opinion for listed Snake River salmon, while taking into account the needs of (and effects on) other listed and non-listed species.

The TMT is to engage in joint decisionmaking that works toward consensus within the recognized authorities and management jurisdictions of its participating members. Specifically, the State, Tribal and Federal salmon managers (Salmon Managers) recommend the operating conditions that best meet the needs of salmon; other participants may also make recommendations consistent with the scope of these guidelines; the COE and BOR are responsible for decisions on the operation of the FCRPS projects; and the COE and BPA are responsible for agreements with Canada regarding storage in Canada and other Treaty-related matters. The participation of other affected sovereign and non-sovereign entities is intended to ensure that decisionmakers have the broadest possible store of information on which to base their decisions. All parties are encouraged to *succinctly present* their views regarding biological or operational recommendations; input can provide alternative options for the appropriate authority to consider when making their decisions, but authority remains with the appropriate entities. *All parties submitting System Operational Requests are encouraged to coordinate with other parties to the greatest extent possible.*

The TMT is a year-'round technical body. Pre-season planning will consist of development of a Water Management Plan that will be completed by April 15. In-season management is to implement the Biological Opinion and the Water Management Plan, with consideration of other species as noted above. * * The COE, BOR and BPA will coordinate planning and operational decisions that may affect salmon and other species through the TMT. The COE, BOR and BPA will specifically * * use the TMT as a forum for the coordination and consideration of potential effects on salmon and other species. [NOTE: in the course of the "Roles and Responsibilities"

discussion, the Corps of Engineers agreed to draft a list of agreements, contracts and plans that should be coordinated through the TMT -- not an exhaustive list, but a list of items of importance which may constrain the flexibility of the system to meet Bi-Op requirements. This list will be appended at the end of the above paragraph in the guidelines.]

V. Operating Procedures

By April 15 *in 1997, and by February 15, if possible, in future years,* the TMT will develop an annual Water Management Plan based on the runoff forecast and other factors specific to that year. All interested parties may participate in the plan development and will be given an opportunity to review and comment on the draft plan.

In general, the Salmon Managers, *in coordination with resident fish managers, (issue 1, Tim Hall)* will provide information on salmon and salmon operational requirements to be included in the plan, and the action agencies will provide information on: reservoir status, planned project operations (and operating constraints, flow forecasts, anticipated special operations for research and other purposes, turbine outage and maintenance plans, and operating agreements and contracts that may affect annual operations. *(What are the priorities for these inputs to the Water Management Plan if conflicts occur? -- issue 2, Bowles)*

b) Summary of In-Season Management Key Weekly Events.

Monday-Begin implementing operations based on last week's decision

Tuesday (ASAP)-The COE and BPA post or otherwise distribute weekly (Monday through Sunday) flow projections for McNary and Lower Granite, along with resulting reservoir operations and elevations, and current dissolved gas and temperature data. Salmon Managers will post or otherwise distribute biological information.

Tuesday (COB)-TMT members submit SORs to the Reservoir Control Center and give copies to TMT members and participants.

Wednesday (PM)-The TMT meet to discuss in-season management data and System Operational Requests and decide on the following week's operation.

Thursday (PM)-Disputes are resolved through the IT if needed.

Friday (noon)-Action agencies document decision on operation to begin on the following Monday. This decision, and rationale, are posted or otherwise distributed.

Friday (PM)-The TMT meeting notes are posted or otherwise distributed.

c) In-Season Management Data.

[This section was unchanged]

d) System Operations Requests.

[This section was unchanged]

e) Meetings.

Between the last week of March and August 31, the TMT will meet at least every Wednesday, more often if necessary, to conduct in-season management. All meetings will be open to interested parties. A conference line will be available for those who cannot attend in person.

The purpose of the meetings is to review biological data, SORs and project operating data to reach informed decisions on FCRPS operations within the scope of these guidelines and the Water Management Plan for the following week(s).

The TMT meetings will include distinct segments dealing with both biological and operational issues. Biological questions associated with a System Operational Request (SOR) will be addressed to ensure that the biological basis of the SOR is clear and to allow the TMT to consider any additional biological information that may be made available at the meeting. After discussing the biological basis for an SOR *[Present biological information, not simply the individual views of the meeting participants -- issue F, Lothrop]*, the Chair will bring closure to this segment of the meeting. The meeting will then move on to consideration of operational alternatives. The chair should ensure that adequate time is allotted to each segment of the meeting.

The Chair should also ensure that the support or opposition of each TMT member for an SOR or a final decision are noted for the minutes.

f) In-Season Decisionmaking.

On Wednesday afternoon the TMT will decide on operations for the following week based on the available information and any pending SORs. Decisions will be made by consensus. Consensus is defined as lack of objection by one or more of the members. In the absence of consensus, the decision will be referred to the Implementation Team in accordance with the dispute resolution process described below.

If the decision is to implement the SOR, then this should be documented for the minutes, and the SOR (and the biological opinion, Council's program or other plan on which it is based) may form the basis for the decision. If the action agencies do not agree to implement an SOR, they will describe for the minutes both the intended operation and the basis for that decision. The basis for the decision could include that the proposed operation is inconsistent with a Biological Opinion, that operational constraints prevent its implementation, that cost is prohibitive, or that the action agency has an alternative view of the best available biological information. In each case, the specific information considered in reaching the decision should be documented in writing. *[If within the flexibility of the BiOp, the Salmon Managers will have the final say about what is best for salmon -- issue C, Bowles]*

The final COE and BOR decisions on the following week's operation will be made at the meeting whenever possible. The TMT will try to avoid making decisions outside the established process. In-season FCRPS operating decisions made through a separate process, such as those under the operating agencies' authority for emergency situations, will be explained and documented as soon as possible, but in any case not later than at the following TMT meeting.

["...not later than COB Friday following the TMT meeting." issue E, Bowles]

g) Documentation.

[This section was unchanged]

h) Distribution of Information.

[This section was unchanged]

i) Public Participation.

Members of the public may comment on an issue or agenda item after the TMT has finished discussing it. They may also comment outside the TMT process. *[Structure of public participation -- after each agenda item, or at the end of the meeting? -- issue D, Boyce]*

VI. TMT Dispute Resolution Process.

[This section was unchanged]

During the discussion of issues A-F, noted in the text of the guidelines, Brown agreed to draft new language to address each issue in cooperation with the person who raised each issue. The new text will be reviewed by IT at its April 3 meeting. In the meantime, Brown asked that any further issues be provided directly to him.

ISSUE 5: Idaho Fish Transport Strategy (Item II B on the April 4 EC agenda).

This proposal, developed by the State of Idaho and supported by CRITFC, gets at the question of what percentage of the spring migrants should be transported, said Brown. It proposes a different transportation strategy from the one laid out in the Biological Opinion. The key elements of the proposal, to me, were the two analyses that were attached, he said. The first analysis showed that the proportion of chinook transported under Biological Opinion operations in 1997 would be on the order of 55%, with 80%-85% of steelhead transported by that same operation. This analysis reviewed a series of alternatives aimed at reducing the percentage of steelhead transported, he continued. These alternatives would also reduce the percentage of chinook transported.

On the basis of that analysis, NMFS told the other Salmon Managers that we were not interested in any of the other alternatives for implementation in 1997, Brown said. The second part of the analytical component of the Idaho proposal is a re-analysis that looks at the same information, minus the fish from Lyons Ferry Hatchery. The effect of removing those fish from the analysis is that it increases the percentage of fish from above Lower Granite that are transported, Brown explained. The effect of this re-analysis, he added, was that it caused me to reconsider what I had characterized as a blanket rejection of all alternatives to the Biological Opinion.

A few minutes of further discussion yielded a suggestion that IT subgroups be formed to evaluate various facets of the Idaho proposal in more detail prior to the April 3 IT meeting. The following assignments were made:

Subgroup 1 (Fish Passage Center [lead], Northwest Science Center, Charlie Petrosky): to perform a technical review of the analyses contained in the Idaho proposal -- I would like this group to confirm the methodology and assumptions underlying the Idaho proposal, and ground-truth the estimates of the percentage transported under a series of alternatives, said Brown.

Subgroup 2 (Jim Ceballos [lead], Fish Passage Center, Jim Athearn, Rod Woodin, Ron Boyce, Jim Nielsen): to review the specific operational alternatives for feasibility -- and advisability -- under expected 1997 runoff conditions.

Subgroup 3 (John Williams [lead], Fish Passage Center, Mike Schiewe, Jim Athearn, Howard Schaller): to evaluate the potential of each alternative to produce additional information that will inform future decisions on transport, and the potential of each alternative to interfere with planned studies.

Bowles provided an overview of the Idaho transportation proposal itself, which contains two main components:

- 1) Alternate daily between transportation and bypass at the Lower Snake projects
- 2) Spill to ensure good passage conditions.

Bowles went through the scientific justification for the Idaho proposal, which encourages the region's project and salmon managers to leave as many juvenile migrants as possible in the river in 1997, to allow these fish to take advantage of the projected high flows and above-average in-river migration conditions.

The bottom line, said Bowles: during the 1982-'84 period, flows and spill were high, while the percentage of fish transported was relatively low, and these years provided the highest smolt-to-adult survival we've seen in the last two decades for both chinook and steelhead. This proposal is not intended as an indictment of the transportation program, nor is it an Idaho endorsement of the idea that current in-river conditions are good for fish -- it is simply a recognition that the conditions we'll have in the spring of 1997 are conducive to successful in-river migration. The 1997 Idaho proposal would still result in a higher percentage of the 1997 run being transported than is called for in the NMFS transport rule curves; it is functionally feasible, will not compromise planned research, and will not require additional flows, spill or funding. The proposal falls well within the operational flexibility allowed in the Biological Opinion, said Bowles.

The Corps will need to look closely at what the three technical committees Brian outlined earlier come up with, to determine whether or not it is appropriate to seek re-initiation of consultation, said Doug Arndt -- this proposal would appear to be a deviation from the ROD we signed on implementation of the Biological Opinion, and I'll need to talk it over with Headquarters.

I would like the IT to be in a position to make a decision on this proposal at its April 3 meeting, said Brown. He reiterated his request that the three above-outlined technical subcommittees complete their work in time for discussion at the April 3 meeting, and asked whether Arndt will be able to come to the table at that meeting with the authority to make that decision for COE. I can't answer that right now, Arndt replied -- again, I'll need to talk it over with HQ.

ISSUE 6: Milner 1.5 Kcfs Flow Cap.

As most of you are aware, said Ron McKown, Reclamation disagrees that Milner flows are an appropriate subject for this forum. However, you make two recommendations -- that BOR take the lead in 1) providing additional analysis of alternative Milner flows under expected 1997 conditions and 2) setting up a meeting with IPC and the Salmon Managers to specifically develop a planned operation for both shaping the Upper Snake water and providing the Brownlee contribution in 1997, McKown said. Reclamation does not have a problem with either of those recommendations.

Essentially, we haven't made much progress on the Milner flows issue since our last meeting, said Brown -- it needs a champion. After some minutes of further discussion, it was agreed to convene another IT subgroup to flesh out recommendation 1) above. This subgroup will consist of BOR's Jim Fodrea (lead), Boyce or Tony Nigro from ODFW, Michael Newsom of NMFS, Susan Martin of USFWS, Roger Furhman of IPC, a representative from the Idaho water users, Jim Yost of the Idaho Governor's office and Rob Lothrop of CRITFC. This group was asked to complete its analysis in time for the May IT meeting, and to provide a progress report at the April 3 IT meeting.

ISSUE 7: March/April Flood Control Drafts.

This issue was resolved at the IT conference call last week, said Brown -- I would like to personally thank Cindy Henriksen for the information package she put together in support of that discussion -- it was extremely responsive to the IT's request, and was exactly what was needed to make this an easy decision. A memo from Brown to the IT documenting the flood control draft decision is now available.

ISSUE 8: Dworshak Operation.

This is another issue on which we need to make some progress, Brown said. The Corps has presented the elevation targets it feels are necessary to accommodate the upcoming grouting work at Dworshak; we need an update on the status of the TDG waiver request to the State of Idaho.

The status report from the State of Idaho is that we were going to sit down with the Corps of Engineers and look at some of the bids they've received for the grouting work, as well as the length of time that will be required under those bids, said Jim Yost. The Colonel has indicated that, if the work can be accomplished in less time than the proposed contract, they would take it off the front end instead of the back end; at that time, we would look at doing what we could do in terms of matching that operation at Dworshak with the Snake River, and we would be talking about a waiver at that time, Yost said.

I'm not sure I understand, said Brown. The indication from the Colonel was that, if the bids for the grouting work come in and it appears possible to complete the contract in less time than was originally stated in the Corps' Request for Proposals, then the Corps would delay lowering the reservoir elevation on the front end of the contract period, essentially moving the grouting work a little later into the summer period, Yost said -- that would give us a little more operational flexibility at Dworshak, and allow us to keep the reservoir full a little longer.

What about NMFS's request for a TDG waiver? asked Brown. For the purposes of the Water Management Plan, we need to know whether the waiver limit below that project for the June-July period is going to be 14 Kcfs or 23 Kcfs. I was not aware that NMFS had submitted a request for a gas waiver, Yost replied. It was submitted to the State of Idaho in January, said Brown. After some minutes of further discussion, Yost agreed to check on the status of the waiver and report back to Brown as soon as possible.

ISSUE 9: Status of the 1997 Water Management Plan.

Brown reminded the IT that, given the April 15 deadline for its completion, it is imperative that the 1997 Water Management Plan be as complete as possible prior to the April 4 EC meeting. It was agreed that the 1997 WMP will be discussed further at the March 26 TMT meeting; in the course of this discussion, the TMT will attempt to resolve as many outstanding '97 WMP issues as possible. Whatever issues cannot be resolved will be brought to IT for resolution on April 3; Henriksen agreed to distribute the results of the TMT's Water Management Plan discussion, in the form of a new WMP draft with any outstanding issues embedded in their appropriate place within the text, to the IT membership by close of business Friday, March 28.

ISSUE 10: Potential for Dworshak Grouting Draft Reducing the Need for Other Reservoir Drafts.

This item was resolved in the memo from Donna Darm, distributed at the last IT meeting, said Brown.

ISSUE 11: Managing Summer Water Temperatures.

Yost suggested that it is inappropriate for summer water temperatures and Milner flows to be grouped with Dworshak operations; Boyce concurred with Yost's opinion. How do you control temperature in the Snake River without coordinating Dworshak and Brownlee operations? asked Brown. The point is, it doesn't matter what the flow is at Milner, Yost said -- whatever volume of water is coming out of the Snake comes out of Brownlee, not Milner. However, you can't really pull these two issues apart, observed Arndt -- if you remove the flow cap at Milner, then you have much less water to shape at Brownlee in August. If you do have the cap, Brownlee is putting out a lot more water in August, which raises the temperature in the lower river -- Brownlee operations, Dworshak operations and Milner flows are all interrelated, Arndt said.

After some minutes of further discussion, Boyce said the Salmon Managers will be unable to develop a specific 1997 temperature control proposal for IT discussion until the status of NMFS's waiver request to Idaho is clarified; this being the case, this probably is not an issue for EC discussion at this time.

Yost mentioned that, within a few days, Idaho will be releasing its recommended strategy for the 1997 migration season. The 1997 strategy will not be significantly different from the 1996 strategy, he added -- it's pretty much what we've been saying all along, with a major emphasis on spreading the risk. He agreed to distribute the recommended strategy document at the March 26 TMT meeting, if possible.

So on this issue of managing summer water temperatures, is there anything you can share with us today about Idaho's position? asked Brown. Our position is going to be that we would like to

synchronize the Snake and Clearwater systems, Yost replied. The key to Idaho's ability to assist in reducing Snake River water temperatures is the grouting issue at Dworshak, he added. Right now, Idaho's position is that we will support the grouting of Dworshak at the time that it's requested; if possible, Idaho would like to see Dworshak stay at the highest elevation possible for as long as possible.

Given current flow projections, what are the Corps' plans for drafting Dworshak this summer? asked Boyce. Our belief is that, with the magnitude of the 1997 water year, once we reach full on June 30, given the fact that, without a waiver in place, we're limited to a maximum outflow of 14 Kcfs from Dworshak, we will have to begin drafting that project on or before July 4 in order to meet an elevation of 1530 feet by August 15, Henriksen replied. If Idaho approves the waiver, that will obviously increase the rate at which we can draft Dworshak, perhaps allowing us to keep it fuller longer.

So to summarize, this issue will be further discussed at the TMT meeting this Wednesday, Brown said.

ISSUE 12: Summer Spill to Achieve 80% FPE.

It was reported that CRITFC is still in discussions with Dennis Rondorf about his proposed 1997 research; CRITFC is also proposing spill at all four Lower Snake projects to achieve 80% FPE during the summer period. However, CRITFC is still some weeks away from finalizing this proposal; this issue is still a work in progress.

Brown suggested that the remaining issues listed in his March 17 memo to IT

? Spill at collector projects at temperatures in excess of 68 degrees? Spill after August 31? Gas abatement? Gas management? Projects missing TDG data? Combining FPP and WMP? Definition of seasonal flow objectives? Meaning of interim draft limits? BiOp benefits a maximum or minimum?? Use of biological data and forecasts to guide in-season management? Biological threshold questions other than those involving in-season use of survival modeling? Lower Granite forebay operation at 710'? John Day to MOP
be added to the agenda for the April 3 IT meeting. It was so agreed.

III. Finalize Executive Committee Agenda.

Brown distributed a draft agenda for the Executive Committee's April 4 meeting; the group spent a few minutes discussing its contents. This agenda, and some of this IT discussion, are reproduced below.

I. Introductions and Review of Agenda.

II. 1997 Operational and System Configuration Issues.

A. Libby and Hungry Horse Operations (information item)

Montana's Tim Hall said he has not yet received a copy of the ISAB's report on the biological implications of current operational regimes at Libby and Hungry Horse Reservoirs; several other IT participants said they have not yet had a chance to review the ISAB report. Brown suggested

that the IT revisit this issue at its April 3 meeting; he also asked Mike Schiewe to ascertain whether Richard Williams, the scheduled presenter for this item, will in fact be on hand for the EC meeting.

B. Idaho Fish Transport Strategy (decision item)

This item was discussed during the previous agenda item.

C. Emergency Power Procedures (decision item)

This item was discussed during the previous agenda item.

D. Water Management and Fish Passage Plans

This item was discussed during the previous agenda item.

III. Capital Construction in the Lower Snake River (discussion item)

This issue was not fleshed out at today's meeting.

IV. 1999 Drawdown Decision Framework (information item)

This issue was not fleshed out at today's meeting.

V. Regional Forum Procedures (information item)

This item was not fleshed out at today's meeting.

IV. Reestablishment of the Watershed Equity Team (WETS).

This item was not discussed at today's meeting.

V. Overview of Revised Outline of Hydro Chapter in NMFS Snake River Recovery Plan.

This item was not discussed at today's meeting.

VI. Summer Spill Study -- Update.

This item was discussed under Agenda Item 2, issue 12.

VII. Public Comment and Approval of February 6 and February 13 IT Minutes.

These items were not discussed at today's meeting.

VIII. Next Meeting Date and Agenda Items.

The next Implementation Team meeting was set for Thursday, April 3 from 9 a.m. to 4 p.m. at NMFS's Portland offices (the IT/Attorneys' Group Alternative Dispute Resolution meeting previously scheduled for this date has been postponed). Meeting notes prepared by Jeff Kuechle, BPA contractor.

